

REMARKS

By virtue of this amendment, claim 1-26 are currently pending in the application. Claims 4, 6, 7, 9, 10, 12, 13, 15, 16, 18, 19, and 24-26 have been amended to place the claims in proper format and claims 27 and 28 have been cancelled without disclaimer or prejudice.

In a June 15, 2005 Office Action, the Examiner objected to claims 4-17 and 24-26 as being in improper form because several multiple dependent claims depended from other multiple dependent claims. The offending claims have been amended to correct the dependency. The applicants respectfully request that the Examiner withdraw the rejection.

The Examiner also objected to claims 27 and 28 under 35 U.S.C. § 112, second paragraph, as being indefinite and an omnibus type of claims. Claims 27 and 28 have been cancelled without disclaimer or prejudice. The applicants respectfully request the Examiner withdraw the pending objection as moot.

The Examiner rejected claims 1-3, 18-20, and 21-23 under 35 U.S.C. § 102(b) as being anticipated by either one of United States Patent 5,466,383 (“Lee”) or United States Patent 5,865,956 (“Bridle et al.”). The Examiner also rejected claims 27 and 28, but as those claims have been cancelled, the rejection of claims 27 and 28 is not address as it is moot. The applicants respectfully traverse the rejections.

In particular, claim 1 recites a combination of elements including, for example, “transferring the gaseous products from the reactor to a catalytic converter” and “contacting the gaseous products from the reactor or the reheated oil and/or non-condensable products, if any, with a catalyst in the catalytic converter in the absence of oxygen,” which is not disclosed, suggested, or taught by either Lee or Bridle et al. As one of skill in the art would recognize on reading the disclosure, a catalytic converter is useful to apply a catalyst to noxious gaseous exhausts to reduce emissions. Conversely, Lee and Bridle et al. are silent regarding use of a catalytic converter on the noxious gaseous exhausts. Rather, both Lee and Bridle et al. use the exhausts from the reactors as fuel and specifically do not employ a catalytic converter to reduce emissions. For example, Lee produces gaseous products, but the “gaseous products are driven off through the outlet 20.” (Lee column 2, lines 64-65). A portion of the gaseous products of Lee may be recycled as fuel for the reactor burners, but Lee does not apply a catalyst to the gaseous products in a catalytic converter. For at least this reason, claim 1 is patentably distinct from Lee. Referring now to Bridle et al., the Examiner does not even appear to opine that Bridle

et.al. discloses the use of a catalytic converter to reduce emissions. Rather, Bridle et.al. at most discloses removing gaseous exhaust from the reactors through a filtration system. Bridle et.al. as Lee is simply silent regarding the use of a catalytic converter and supplying a catalyst to reduce noxious gaseous emissions.

The applicants respectfully suggest that the Examiner is reading much more into Lee and Bridle et al. than Lee and Bridle et al. in fact disclose. This is apparent as both references provide a second reactor in the sludge processing which require, in part, the transfer of char as well as gases along the length of the reactors to produce the disclosed conversion reactions. The present invention, however, uses a catalytic converter to apply a catalyst to the gaseous and discharges the converted gas.

Moreover, to the extent the Examiner is attempting to opine that the second reactor in the references is capable of acting as the catalytic converter, the applicants respectfully submit that one of skill in the art would understand on reading the disclosure that a second reactor is distinctly different structure than a catalytic converter. This is abundantly clear by embodiments of the present invention which include a first reactor, a second reactor, and a catalytic converter. If a second reactor could function as a catalytic converter, the alternative embodiments disclosed in the application would be superfluous.

Based on the forgoing, it is respectfully submitted that claim 1 is patentably distinct from the references either alone or in any reasonable combination thereof. Independent claims 18 and 21 contain limitations similar to independent claim 1 and, at least by virtue of the similarity are patentably distinct from the references of record either alone or in any reasonable combination thereof. Claims 2-17, 19, 20, and 22-26 depend, either directly or indirectly, from independent claims 1, 18, and 21 and, at least by virtue of the dependency, are patentably distinct from the references either alone or in any reasonable combination thereof. Thus, withdrawal of the pending rejection and allowance of the claims is respectfully requested.

A petition for a one-month extension of time is being filed concurrently herewith. No other fee is believed due for entry of this paper. If an additional extension of time under 35 C.F.R. § 1.136 is required to obtain entry of this Amendment, such an extension is requested. If there are fees due under 37 U.S.C. §§ 1.16 or 1.17 which are not otherwise accounted for, please charge our Deposit Account No. 08-2623.

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